IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 4580 of 2006()

CRA.443/2005 of ADDL. DISTRICT AND SESSIONS JUDGE (ADHOC-III), KOLLAM
CC.614/2001 of MUNSIFF MAGISTRATE, PARAVUR.

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REVN. PETITIONER:

R.RADHAKRISHNAN, S/O.RAMANKUTTY,
PROPRIETOR, AMRUTHA NURSURY SCHOOL,
NEDUNGOLAM P.O., PARAVUR, KOLLAM.

BY ADV. SRI.P.A.NOOR MUHAMMED

RESPONDENTS:

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1. RAMACHANDRAN PILLAI,
S/O.JANARDHANAN PILAI,
RAMANILAYAM, POOTHAKKULAM CHERRI,
POOTHAKKULAM VILLAGE, KOLLAM.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH
SRI.V.VENUGOPALAN NAIR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.

Crl.R.P. No.4580 of 2006

Dated this 21st day of December, 2006.

O R D E R

Revision Petitioner is the accused in C.C.No.614 of 2001 on the file of the Munsiff-Magistrate's Court, Paravur. First respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for three months and also directed to pay compensation of Rs.75,000/- to the complainant in default of payment to undergo simple imprisonment for two months under section 138 of Negotiable Instruments Act. In appeal filed by him, the conviction and sentence were confirmed by the Additional District and Sessions Court. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.A.No.12937 of 2006 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.A.No.12937 of 2006 and Revision Petition are allowed.

vgs. **K. HEMA, JUDGE.**